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SUTHERLAND, ASBILL & BRENNAN

1275 PENNSYLVANIA AVENUE, N.W.

WASHINGTON, D. C. 20004-2404

(202) 383-0100

June 4, 1992

FM EXAMINERS

CABLE: SUTAB WASHINGTON  
TELEX: 89-501  
FACSIMILE:  
(202) 637-3593

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY  
1999 PEACHTREE STREET, N.E.  
ATLANTA, GEORGIA 30309-3996  
(404) 853-8000

FRANK J. MARTIN, JR.

DIRECT LINE: (202) 383-0146

Ms. Donna R. Searcy  
Secretary  
Federal Communications Commission  
Room 222  
1919 M Street, N.W.  
Washington, D.C. 20554

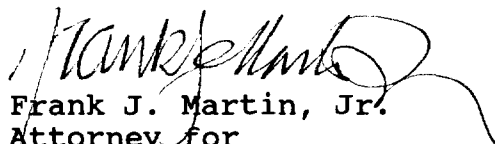
Re: In re Application of Howard B. Dolgoff  
File No. BPH-911223ME  
Channel 292A, Miramar Beach, Florida

Dear Ms. Searcy:

Submitted herewith for filing are an original and four copies of a Petition to Deny the above-captioned application, as amended by Amendment submitted on May 4, 1992.

Should there be any questions concerning this Petition, please contact the undersigned or Elizabeth C. Buckingham of this office.

Respectfully submitted,

  
Frank J. Martin, Jr.  
Attorney for  
Mark and Renee Carter

Attachments

cc: per Certificate of Service



counsel's letter of transmittal dated May 4, 1992, and was stamped received by the Office of the Secretary on that same day -- the last day for filing minor amendments as of right pursuant to Section 73.3522(6) of the Commission's rules, 47 C.F.R. § 73.3522(a)(6).<sup>1/</sup> On the very next day, May 5 1992, these applications were accepted for filing.<sup>2/</sup>

2. By the Amendment filed as of right and unconditionally, Dolgoff abandoned the antenna site at Lat. 30° 22' 31", Long. 86° 21' 39" that he initially proposed, and specified a site located at Lat. 30° 23' 31", Long. 86° 18' 25".

3. In Statement B appended to the Amendment, Dolgoff acknowledges that, under the minimum separation requirements of Section 73.207 of the Commission's rules, 47 C.F.R. § 73.207, the site he has specified is short spaced to co-channel station WKNU, Brewton, Alabama. He invokes and requests processing pursuant to Section 73.213 of the Commission's rules, 47 C.F.R. § 73.213, in the apparent belief that the short spacing to WKNU is acceptable pursuant to paragraph (c)(1) or paragraph (c)(2) of Section 73.213. However, paragraph (c)(1) of Section 73.213 is explicitly applicable only to proposals "with no more than 3000

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<sup>1/</sup> The Amendment was not served on the Carters but was filed ex parte, in flagrant violation of Section 1.1208 (c)(1)(i)(C) of the Commission's rules. 47 C.F.R. § 1.1208(c)(1)(i)(C).

<sup>2/</sup> The notice of acceptance for filing immediately after expiration of the thirty-day amendment as of right period indicates that Dolgoff's application, as amended, has not yet been subjected to staff engineering review under the Commission's acceptance criteria. Public Notice 1730, 67 R.R. 2d 494, 495 Feb. (1990)

Watts of ERP and 100 meters antenna HAAT (or equivalent . . . )," and is therefore patently inapplicable to Dolgoff's Amendment which, at Section V-B, p. 2, of FCC Form 301 and elsewhere, proposes 6kW (6000 Watts) ERP and 100 meters antenna HAAT. Paragraph (c)(2) of Section 73.213 would require concurrence by station WKNU and other showings that Dolgoff's Amendment does not attempt. Accordingly, the Amendment must be rejected as patently not in compliance with the Section of the rules pursuant to which processing was requested.<sup>3/</sup>

4. The Amendment does not "on its face" request processing pursuant to the "contour protection" provisions of Section 73.215 of the Commission's rules, 47 C.F.R. § 73.215. Therefore, by the express terms of Section 73.215, it cannot be processed pursuant to that Section. Moreover, in addition to this straight-forward procedural bar, there is an additional, substantive defect absolutely precluding acceptance of the Amendment pursuant to Section 73.215: there is no exhibit showing that contour protection required by Section 73.215 would be achieved.<sup>4/</sup> The Amendment does not include "the necessary

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<sup>3/</sup> See Amendment of Part 73 of the Rules to Provide for an Additional FM Station Class (Class C3) and to Increase the Maximum Transmitting Power for Class A FM Stations, 6 FCC Rcd 3417, 3419 (1991) (applicant must provide direct evidence of consent by licensee of affected station).

<sup>4/</sup> "(A)n applicant's failure to submit the appropriate exhibit (establishing the lack of prohibited overlap of contours involving affected stations) will result in the return of the application as not substantially complete at tender." Amendment of Part 73 of the Commission's Rules to Permit Short-Spaced FM Station Assignments by Using Directional Antennas, 4 FCC Rcd (continued...)

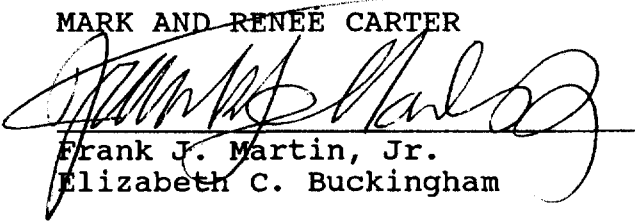
exhibit," mentioned in the introductory language of Section 73.215, and required by paragraphs (a)(1) through (3), "to demonstrate that . . . requisite contour protection will be provided." Figure 4 included in the Amendment as an exhibit purports to depict the interference contour from Dolgoff's proposed new 6kW directional proposal; but neither Figure 4 nor any other figure or exhibit purports to depict WKNU's protected contour or whether it would be infringed by the proposed station's interference contour. Such a showing, in addition to being expressly required by the rules, is essential to demonstrate whether there would any prohibited overlap of pertinent contours. In the absence of such showing, prohibited overlap must, of course, be presumed.

Wherefore, Dolgoff's captioned application, as amended, must be denied as patently in violation of the Commission's rules, and the Carters' application should be promptly granted.

Respectfully submitted,

MARK AND RENEE CARTER

By:

  
Frank J. Martin, Jr.  
Elizabeth C. Buckingham

Sutherland, Asbill & Brennan  
1275 Pennsylvania Avenue, N.W.  
Washington, DC 20004  
(202) 383-0146

June 4, 1992

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<sup>4/</sup> (...continued)

1681, 1686 (1989) (subsequent history omitted). Because Dolgoff's amendment failed to satisfy even this tenderability requirement, it must be rejected.

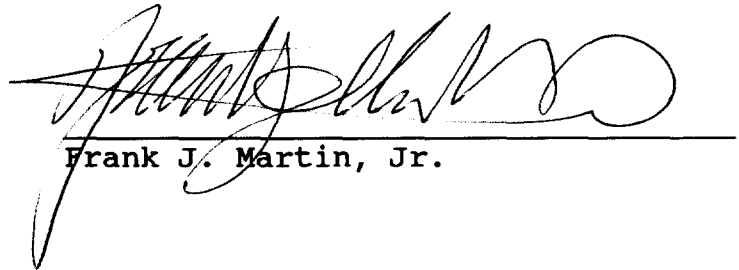
CERTIFICATE OF SERVICE

I hereby certify that on this 4th day of June, 1992, a copy of the foregoing Petition to Deny has been served by courier upon the following:

Irving Gastfreund, Esq.  
Kaye, Scholer, Fierman, Hays & Handler  
901 15th Street, N.W.  
Washington, DC 20005

Charles Dziedzic, Esq.  
Hearing Branch of the Mass Media Bureau  
2025 M Street, N.W., Room 7212  
Washington, DC 20554

Chief, Data Management Staff  
Federal Communications Commission  
Audio Services Division  
Mass Media Bureau  
1919 M Street, N.W., Room 350  
Washington, DC 20554



Frank J. Martin, Jr.

EXHIBIT 1

~~420504111~~

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MAY - 4 1992

KAYE, SCHOLER, FIERMAN, HAYS & HANDLER

THE MCPHERSON BUILDING

901 FIFTEENTH STREET, N.W., SUITE 1100

WASHINGTON, D.C. 20005

(202) 682-3500

TELECOPY NUMBER

202 682-3580

Federal Communications Commission  
Office of the Secretary

ADMIRALTY CENTRE  
TOWER 32<sup>ND</sup> FLOOR  
8 HARCOURT ROAD  
HONG KONG  
852 865-7674

SQUARE DE MEUS 30  
1040 BRUSSELS BELGIUM  
322 514 4300

425 PARK AVENUE  
NEW YORK, N.Y. 10022  
212 836-6000

1999 AVENUE OF THE STARS  
SUITE 1800  
LOS ANGELES, CA 90067  
(213) 788-1000

WRITER'S DIRECT DIAL NUMBER  
(202) 682-3526

DUPLICATE

May 4, 1992

Ms. Donna R. Searcy  
Secretary  
Federal Communications Commission  
1919 M Street, N.W.  
Washington, D.C. 20554

Re: Application of Howard B. Dolgoff  
for a Construction Permit for a  
New FM Radio Station on Channel 292A  
in Miramar Beach, Florida  
(FCC File No. BPH-911223ME)

Dear Ms. Searcy:

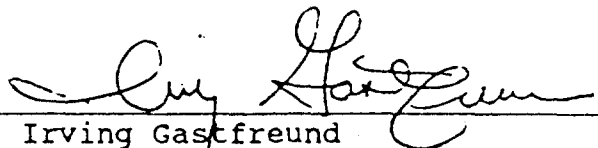
Submitted herewith for filing, on behalf of our client,  
Howard B. Dolgoff, are an original and two copies of an amendment  
to his above-referenced pending application for a construction  
permit for a new FM radio station on FM Channel 292A in Miramar  
Beach, Florida.

Please direct any inquiries concerning this submission to  
the undersigned.

Respectfully submitted,

KAYE, SCHOLER, FIERMAN, HAYS & HANDLER

By:

  
Irving Gastfreund

Enclosure

RECEIVED

MAY - 4 1992

Federal Communications Commission  
Office of the Secretary

AMENDMENT

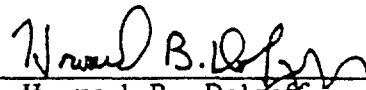
Ms. Donna R. Searcy  
Secretary  
Federal Communications Commission  
1919 NW "M" Street  
Washington, D.C. 20554

Re: Application of Howard B. Dolgoff  
For a construction permit for a new FM  
Radio station of Channel 292A in  
Miramar Beach, Florida  
(File No. BPH-911223ME)

Dear Ms. Searcy:

The above-referenced pending application is hereby amended by submission  
of the annexed materials.

Respectfully submitted,

  
Howard B. Dolgoff



RECEIVED

MAY - 4 1992

AMENDMENT

Federal Communications Commission  
Office of the Secretary

The pending application (File No. BPH-911223ME) of Howard B. Dolgoff for a construction permit for a new FM radio station on Channel 292A in Miramar Beach, Florida, is hereby amended as follows:

1. Delete the entire text of Section V of the application.

## SECTION III - FINANCIAL QUALIFICATIONS

NOTE: If this application is for a change in an operating facility do not fill out this section

## SECTION VI - EQUAL EMPLOYMENT OPPORTUNITY PROGRAM

1. Does the applicant propose to employ five or more full-time employees?

☒ Yes ☐ No

If Yes, the applicant must include an EEO program called for in the separate Broadcast Equal Employment Opportunity Program Report (FCC 398-A).

## SECTION VII - CERTIFICATIONS

1. Has or will the applicant comply with the public notice requirement of 47 C.F.R. Section 73.3590?

☒ Yes ☐ No

2. Has the applicant reasonable assurance, in good faith, that the site or structure proposed in Section V of this form, as the location of its transmitting antenna, will be available to the applicant for the applicant's intended purpose?

☒ Yes ☐ No

If No, attach as an Exhibit, a full explanation.

Exhibit No.  
N/A

3. If reasonable assurance is not based on applicant's ownership of the proposed site or structure, applicant certifies that it has obtained such reasonable assurance by contacting the owner or person possessing control of the site or structure.

Name of Person Contacted J. R. King

Telephone No. *(include area code)* (904) 862-5415

Person contacted: *(check one box below)*

☒ Owner ☐ Owner's Agent ☐ Other *(specify)*

The APPLICANT hereby waives any claim to the use of any particular frequency as against the regulatory power of the United States because of the previous use of the same, whether by license or otherwise, and requests an authorization in accordance with this application. *(See Section 304 of the Communications Act of 1934, as amended.)*

The APPLICANT acknowledges that all the statements made in this application and attached exhibits are considered material representations, and that all exhibits are a material part hereof and incorporated herein.

The APPLICANT represents that this application is not filed for the purpose of impeding, obstructing, or delaying determination on any other application with which it may be in conflict.

In accordance with 47 C.F.R. Section 1.65, the APPLICANT has a continuing obligation to advise the Commission through amendments of any substantial and significant changes in information furnished.

**ENGINEERING EXHIBIT**

**APPLICATION FOR CONSTRUCTION PERMIT**

prepared for  
**Howard B. Dolgoff**  
Miramar Beach, Florida

Ch 292A (106.3 MHz) 6.0 KW-DA (H&V) 100 m

May 1, 1992

Lahm, Suffa & Cavell, Inc.

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Consulting Engineers  
3975 University Drive  
Suite #450  
Fairfax, VA 22030  
703-591-0110

# ENGINEERING EXHIBIT

## Application for Construction Permit

prepared for  
**Howard B. Dolgoff**  
Miramar Beach, Florida

Ch 292A (106.3 MHz) 6.0 KW-DA (H&V) 100 m

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# Section V-B - FM BROADCAST ENGINEERING DATA

FOR COMMISSION USE ONLY

File No. \_\_\_\_\_

ASB Referral Date \_\_\_\_\_

Referred by \_\_\_\_\_

Name of Applicant

Howard B. Dolgoff

Call letters (if issued)

New

Is this application being filed in response to a window? ☐ Yes ☒ No

If Yes, specify closing date: \_\_\_\_\_

Purpose of Application: (check appropriate boxes)

☐ Amend application BPH-911223ME  
☐ Construct a new (main) facility

☐ Modify existing construction permit for main facility

☐ Modify licensed main facility

☐ Construct a new auxiliary facility

☐ Modify existing construction permit for auxiliary facility

☐ Modify licensed auxiliary facility

If purpose is to modify, indicate below the nature of change(s) and specify the file number(s) of the authorizations affected.

☒ Antenna supporting-structure height

☒ Antenna height above average terrain

☒ Antenna location

☐ Main Studio location

☐ Effective radiated power

☐ Frequency

☐ Class

☒ Other (Summarize briefly)

Modify Direction Antenna Pattern

File Number(s) BPH 911223ME

## 1. Allocation:

| Channel No. | Principal community to be served: |        |       |
|-------------|-----------------------------------|--------|-------|
|             | City                              | County | State |
| 292         | Miramar Beach                     | Walton | FL    |

Class (check only one box below)

☒ A ☐ B1 ☐ B ☐ C3

☐ C2 ☐ C1 ☐ C

## 2. Exact location of antenna.

(a) Specify address, city, county and state. If no address, specify distance and bearing relative to the nearest town or landmark.

West Side of Mack Bayou Road, 1.7 km North of Highway 98, Miramar Beach, FL

(b) Geographical coordinates (to nearest second). If mounted on element of an AM array, specify coordinates of center of array. Otherwise, specify tower location. Specify South Latitude or East Longitude where applicable; otherwise, North Latitude or West Longitude will be presumed.

|          |    |    |    |           |    |    |    |
|----------|----|----|----|-----------|----|----|----|
| Latitude | 30 | 23 | 31 | Longitude | 86 | 18 | 25 |
|----------|----|----|----|-----------|----|----|----|

3. Is the supporting structure the same as that of another station(s) or proposed in another pending application(s)? ☐ Yes ☒ No

If Yes, give call letter(s) or file number(s) or both.

N/A

If proposal involves a change in height of an existing structure, specify existing height above ground level including antenna, all other appurtenances, and lighting, if any.

N/A

## SECTION V-8 - FM BROADCAST ENGINEERING DATA (Page 2)

4. Does the application propose to correct previous site coordinates?

☐ Yes ☒ No

If Yes, list old coordinates.

|          |   |           |   |
|----------|---|-----------|---|
| Latitude | 0 | Longitude | 0 |
|----------|---|-----------|---|

5. Has the FAA been notified of the proposed construction?

☒ Yes ☐ No

If Yes, give date and office where notice was filed and attach as an Exhibit a copy of FAA determination, if available.

Exhibit No.  
N/ADate April 29, 1992 Office where filed Southern Regional Office

6. List all landing areas within 8 km of antenna site. Specify distance and bearing from structure to nearest point of the nearest runway.

| Landing Area                      | Distance (km) | Bearing (degrees True) |
|-----------------------------------|---------------|------------------------|
| (a) <u>None known within 8 km</u> |               |                        |
| (b) _____                         |               |                        |

7. (a) Elevation: (to the nearest meter)

(1) of site above mean sea level; 3 meters(2) of the top of supporting structure above ground (including antenna, all other appurtenances, and lighting, if any); and 104 meters(3) of the top of supporting structure above mean sea level  $[(aX1) + (aX2)]$  107 meters

(b) Height of radiation center: (to the nearest meter) H - Horizontal; V - Vertical

(1) above ground 99 meters (H)99 meters (V)(2) above mean sea level  $[(aX1) + (bX1)]$  102 meters (H)102 meters (V)(3) above average terrain 100 meters (H)100 meters (V)

8. Attach as an Exhibit sketch(es) of the supporting structure, labelling all elevations required

Exhibit No.

SECTION V-B - FM BROADCAST ENGINEERING DATA (Page 3)

10. Is a directional antenna proposed?

☒ Yes ☐ No

If Yes, attach as an Exhibit a statement with all data specified in 47 C.F.R. Section 73.316, including plot(s) and tabulations of the relative field.

Exhibit No.  
Stmt. A

Fig. 3A & 3B; Table 1

11. Will the proposed facility satisfy the requirements of 47 C.F.R. Sections 73.315(a) and (b)?

☒ Yes ☐ No

If No, attach as an Exhibit a request for waiver and justification therefor, including amounts and percentages of population and area that will not receive 316 mV/m service.

Exhibit No.  
N/A

12. Will the main studio be within the protected 316 mV/m field strength contour of this proposal?

☒ Yes ☐ No

If No, attach as an Exhibit justification pursuant to 47 C.F.R. Section 73.1125.

Exhibit No.  
N/A

13. (a) Does the proposed facility satisfy the requirements of 47 C.F.R. Section 73.207?

☐ Yes ☒ No

(b) If the answer to (a) is No, does 47 C.F.R. Section 73.213 apply?

☒ Yes ☐ No

(c) If the answer to (b) is Yes, attach as an Exhibit a justification, including a summary of previous waivers.

Exhibit No.  
Stmt. B

(d) If the answer to (a) is No and the answer to (b) is No, attach as an Exhibit a statement describing the short spacing(s) and how it or they arose.

Exhibit No.  
N/A

(e) If authorization pursuant to 47 C.F.R. Section 73.215 is requested, attach as an Exhibit a complete engineering study to establish the lack of prohibited overlap of contours involving affected stations. The engineering study must include the following:

Exhibit No.  
N/A

- (1) Protected and interfering contours, in all directions (360 ), for the proposed operation.
- (2) Protected and interfering contours, over pertinent arcs, of all short-spaced assignments, applications and allotments, including a plot showing each transmitter location, with identifying call letters or file numbers, and indication of whether facility is operating or proposed. For vacant allotments, use the reference coordinates as the transmitter location.
- (3) When necessary to show more detail, an additional allocation study utilizing a map with a larger scale to clearly show prohibited overlap will not occur.
- (4) A scale of kilometers and properly labeled longitude and latitude lines, shown across the entire exhibit(s). Sufficient lines should be shown so that the location of the sites may be verified.
- (5) The official title(s) of the map(s) used in the exhibit(s).

14. Are there: (a) within 60 meters of the proposed antenna, any proposed or authorized FM or TV transmitters, or any nonbroadcast (except citizens band or amateur) radio stations; or (b) within the blanketing contour, any established commercial or government receiving stations, cable head-end facilities, or populated areas; or (c) within ten (10) kilometers of the proposed antenna, any proposed or authorized FM or TV transmitters which may produce receiver-induced intermodulation interference?

☒ Yes ☐ No

If Yes, attach as an Exhibit a description of any expected, undesired effects of operations and remedial steps to be pursued if necessary, and a statement accepting full responsibility for the elimination of any objectionable interference (including that caused by receiver-induced or other types of modulation) to facilities in existence or authorized or to radio receivers in use prior to grant of this application. (See 47 C.F.R. Sections 73.315(b), 73.316(e) and 73.318.)

Exhibit No.  
Stmt. C



15. Attach as an Exhibit a 75 minute series U.S. Geological Survey topographic quadrangle map that shows clearly, legibly, and accurately, the location of the proposed transmitting antenna. This map must comply with the requirements set forth in Instruction V. The map must further clearly and legibly display the original printed contour lines and data as well as latitude and longitude markings, and must bear a scale of distance in kilometers.

Exhibit No.  
Fig. 2

16. Attach as an Exhibit *(name the source)* a map which shows clearly, legibly, and accurately, and with the original printed latitude and longitude markings and a scale of distance in kilometers

Exhibit No.  
Fig. 4

(a) the proposed transmitter location, and the radials along which profile graphs have been prepared;

(b) the 316 mV/m and 1 mV/m predicted contours; and

(c) the legal boundaries of the principal community to be served.

17. Specify area in square kilometers (1 sq. mi. = 259 sq. km.) and population (latest census) within the predicted 1 mV/m contour.

land Area 1,071 sq. km. Population 45,858 (1990 Census)

18. For an application involving an auxiliary facility only, attach as an Exhibit a map *(Sectional Aeronautical Chart or equivalent)* that shows clearly, legibly, and accurately, and with latitude and longitude markings and a scale of distance in kilometers

Exhibit No.  
N/A

(a) the proposed auxiliary 1 mV/m contour; and

(b) the 1 mV/m contour of the licensed main facility for which the applied-for facility will be auxiliary. Also specify the file number of the license.

19. Terrain and coverage data *(to be calculated in accordance with 47 C.F.R. Section 72.313)*

Source of terrain data: *(check only one box below)*

☒ Linearly Interpolated 30-second database ☐ 75 minute topographic map

(Source: NGDC TPG-0050)

☐ Other *(briefly summarize)*

| Radial bearing<br>(degrees True) | Height of radiation<br>center above average<br>elevation of radial<br>from 3 to 16 km<br>(meters) | Predicted Distances                     |                                       |
|----------------------------------|---|---|---------------------------------------|
|                                  |   | To the 316 mV/m contour<br>(kilometers) | To the 1 mV/m contour<br>(kilometers) |
| 250°                             | 100.2 **  |   |                                       |
| 0                                | 94.4  |   |                                       |
| 45                               | 101.9   |   |                                       |
| 90                               | 102.0   |   |                                       |
| 135                              | 98.9 **   | SEE TABLE 2 FOR CONTOUR DATA            |                                       |
| 180                              | 101.0 **  |   |                                       |
| 225                              | 100.8 **  |   |                                       |
| 270                              | 101.7   |   |                                       |
| 315                              | 98.1  |   |                                       |

\*Radial through principal community, if not one of the major radials. This radial should NOT be included in the calculation of HAAT. \*\* Radial partially over water - elevations beyond land edge excluded from average.

20. Environmental Statement/See 47 C.F.R. Section 1.1301 et seq.)

Would a Commission grant of this application come within Section 11307 of the FCC Rules, such that it may have a significant environmental impact? ☐ Yes ☒ No

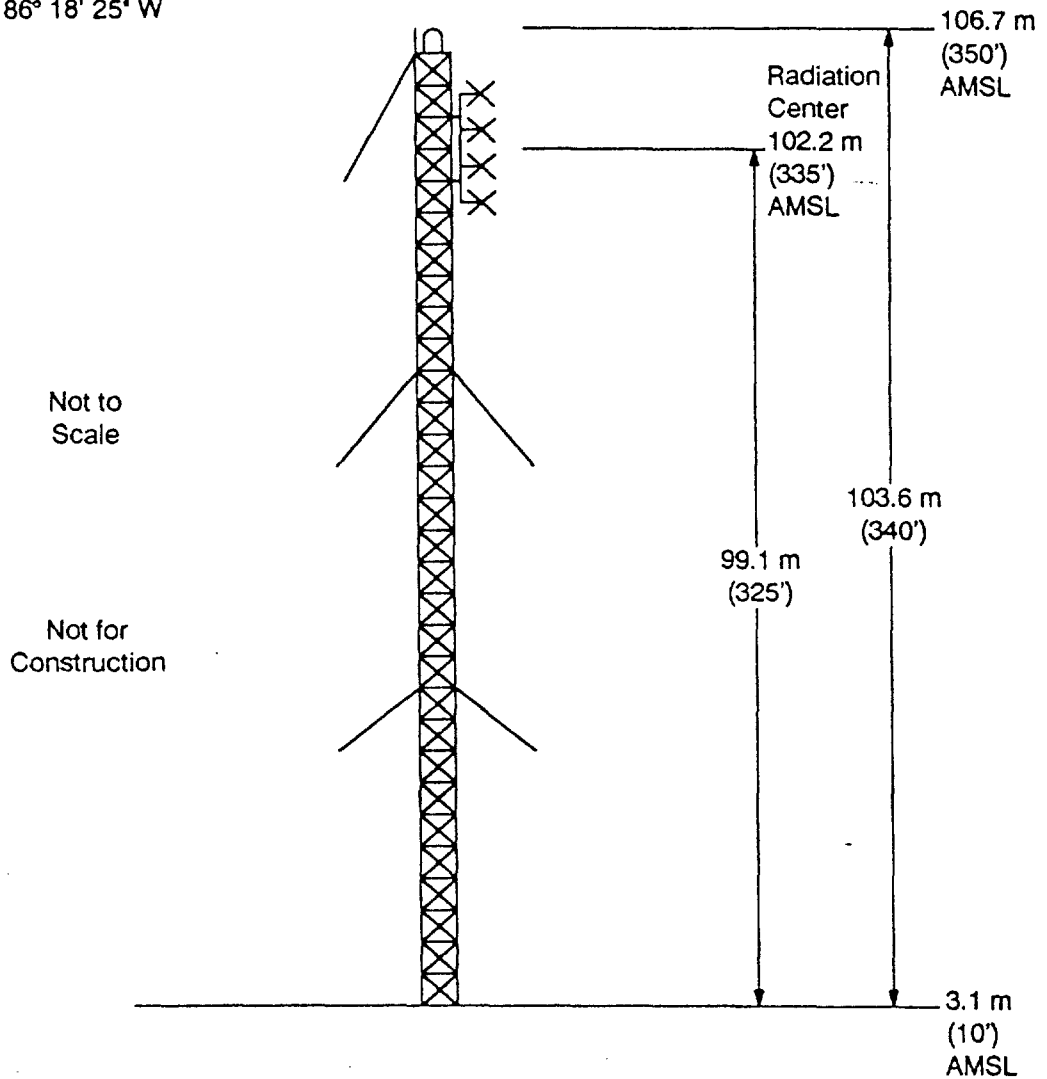
If you answer Yes, submit as an Exhibit an Environmental Assessment required by Section 11311.

Exhibit No.  
N/A

If No, explain briefly why not.

See Stmt

Site Coordinates  
30° 23' 31" N  
86° 18' 25" W



# **FIGURE 1**

## **PROPOSED ANTENNA AND SUPPORTING STRUCTURE**

prepared April 1992 for  
**Howard B. Dolgoff**  
Miramar Beach, Florida

Ch 292A 6.0 kW -DA (H&V) 100 m

**Lahm, Suffa & Cavell, Inc.**  
Consulting Engineers - Fairfax, VA

**FIGURE 2**  
**PROPOSED TRANSMITTER SITE**

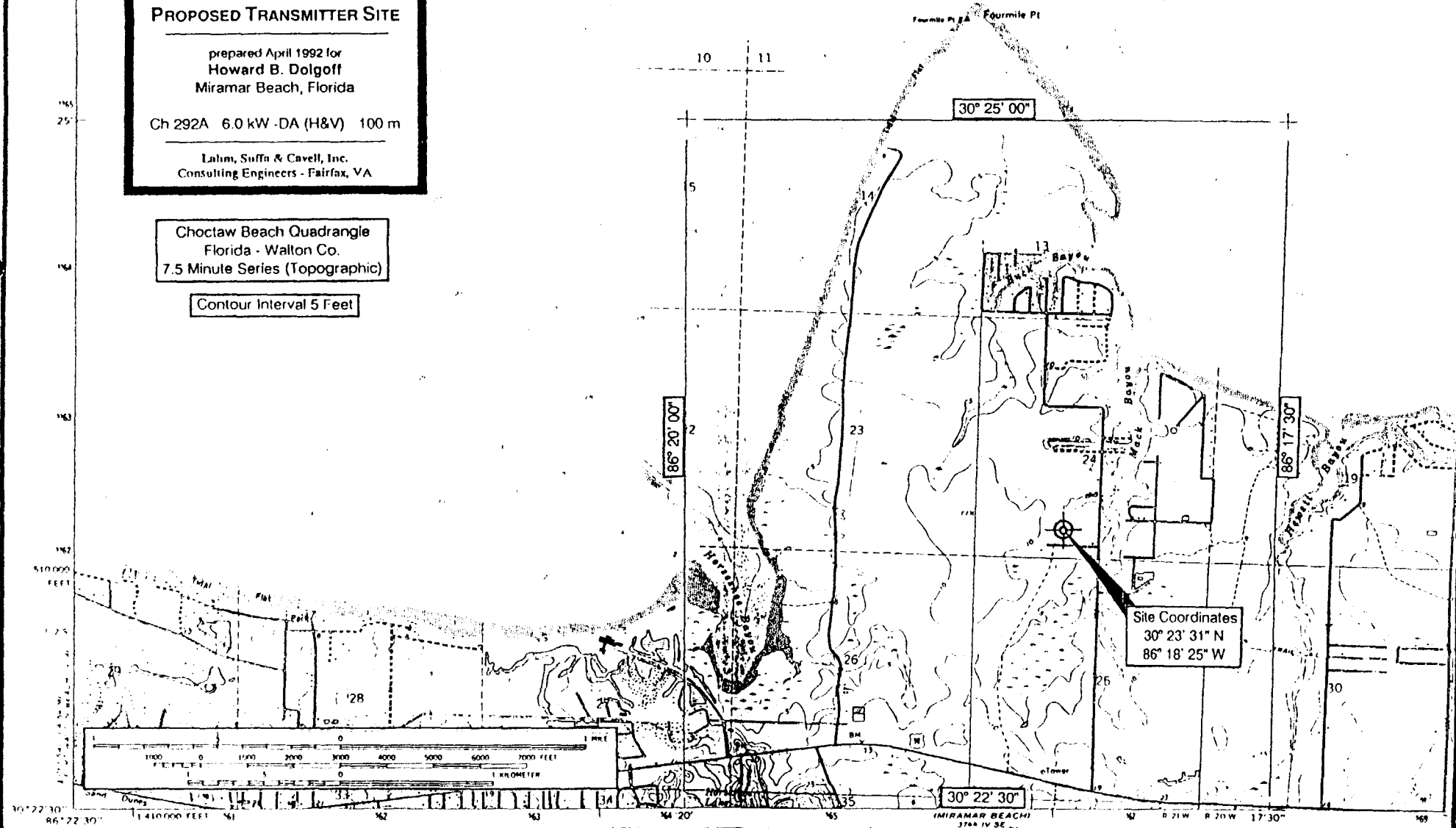
prepared April 1992 for  
**Howard B. Dolgoff**  
Miramar Beach, Florida

Ch 292A 6.0 kW - DA (H&V) 100 m

Lalim, Suffa & Cavell, Inc.  
Consulting Engineers - Fairfax, VA

Choctaw Beach Quadrangle  
Florida - Walton Co.  
7.5 Minute Series (Topographic)

Contour Interval 5 Feet



Note: Transmitter site is located in the community of Miramar Beach. Clearly defined boundaries of the community were not available, but the 3.16 mV/m contour encompasses the entire community.

Coverage within 1.0 mV/m Land Area:  
Area (sq km) 1,071  
Population (1990 Census) 45,858

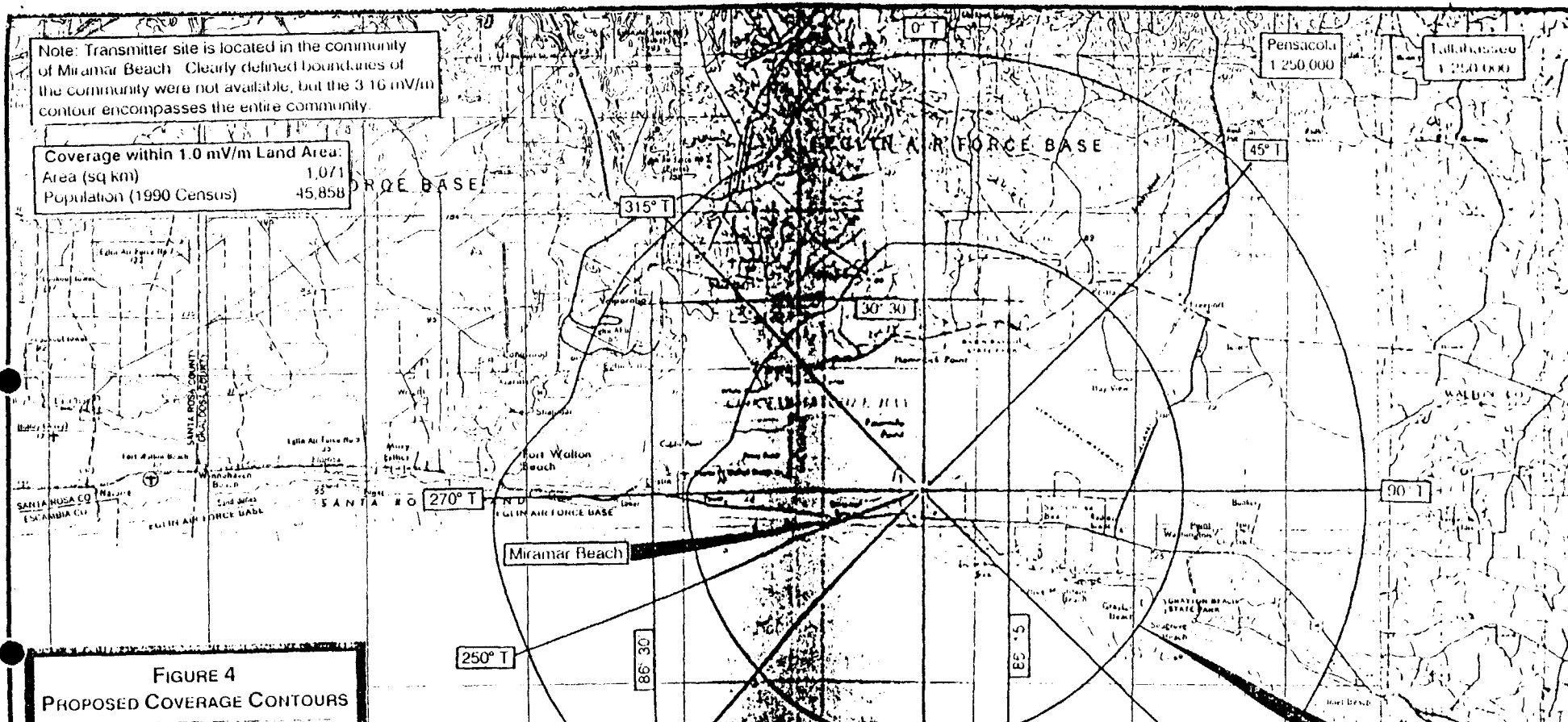
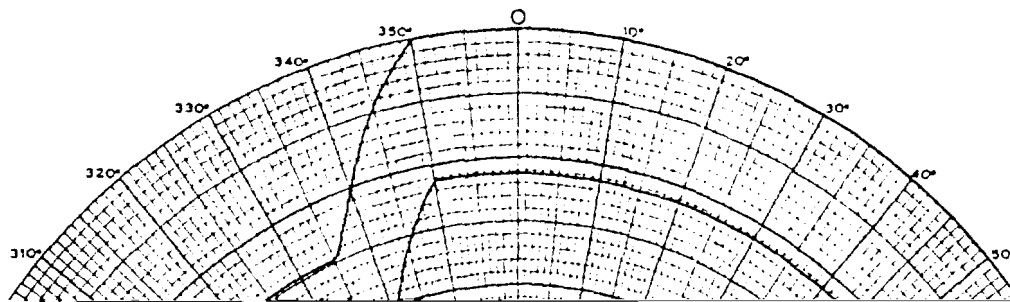


FIGURE 4  
PROPOSED COVERAGE CONTOURS



ELECTRONICS RESEARCH, INC.  
100-MARKET STREET  
NEWBURGH, IN. 47630

-----THEORETICAL-----  
VERTICAL PLANE RELATIVE FIELD

MAY 18, 1988

ELEMENT SPACING:  
1/2 WAVELENGTH

FIGURE 1

4 ROTOTILLER ELEMENTS WITH 2 DEGREE BEAM TILT  
0 PERCENT FIRST NULL FILL  
0 PERCENT SECOND NULL FILL

POWER GAIN IS 1.307 IN THE HORIZONTAL PLANE (1.307 IN THE MAX.)

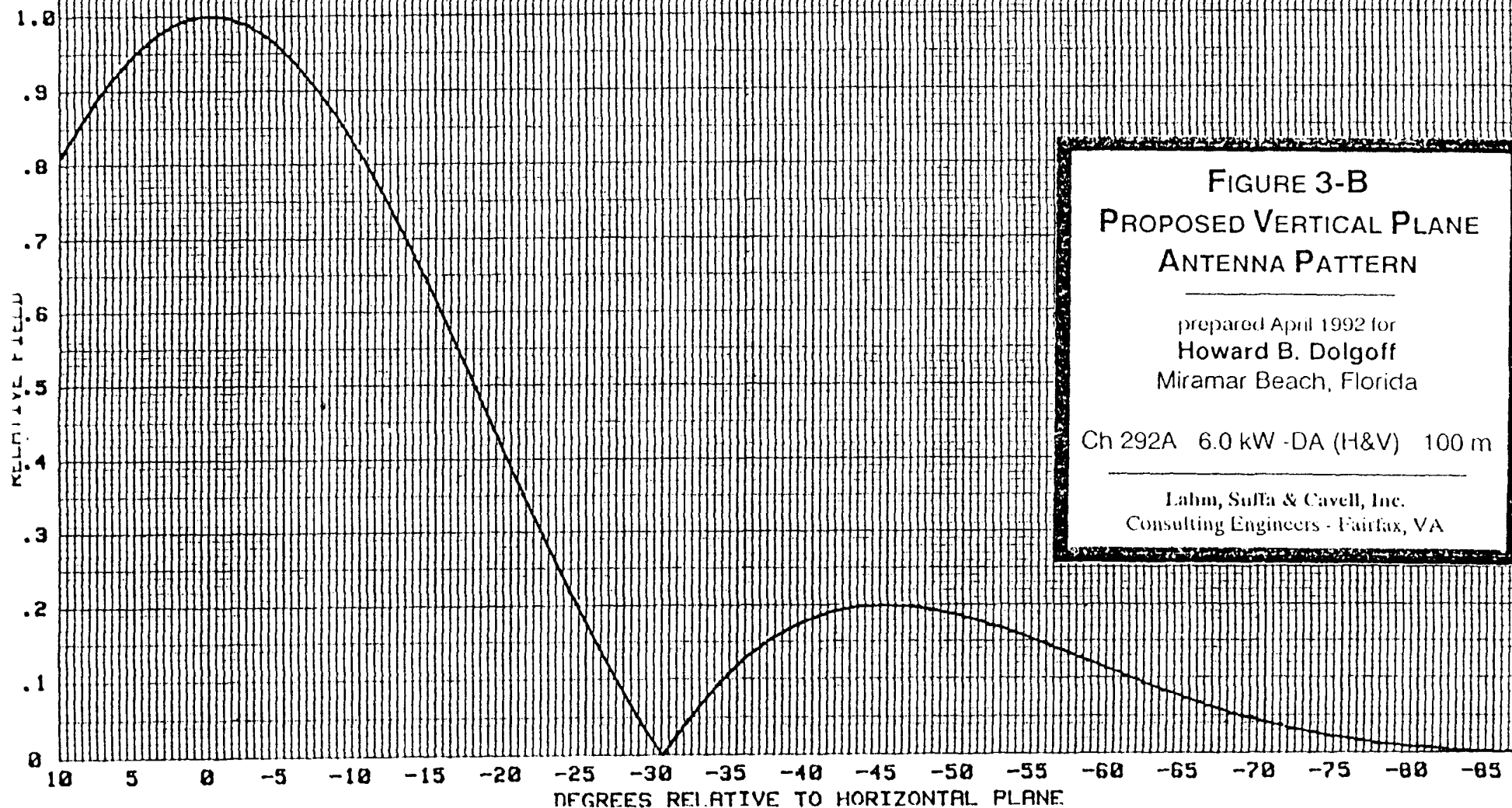


FIGURE 3-B  
PROPOSED VERTICAL PLANE  
ANTENNA PATTERN

prepared April 1992 for  
Howard B. Dolgoff  
Miramar Beach, Florida

Ch 292A 6.0 kW -DA (H&V) 100 m

Lahm, Sutta & Cavell, Inc.  
Consulting Engineers - Fairfax, VA

Table 1

**Directional Pattern Data**

prepared for  
**Howard B. Dolgoff**  
Miramar Beach, Florida  
Ch 292A 6.0 KW-DA (H&V) 100 m

| <u>Azimuth</u><br><u>(deg true)</u> | <u>Power</u><br><u>(dBK)</u> | <u>Relative</u><br><u>Field</u> |
|-------------------------------------|------------------------------|---------------------------------|
| **0-270                             | 7.78                         | 1.000                           |
| 280                                 | 5.78                         | 0.794                           |
| 285                                 | 4.78                         | 0.708                           |
| 290                                 | 4.77                         | 0.707                           |
| 295                                 | 4.77                         | 0.707                           |
| 300                                 | 4.77                         | 0.707                           |
| 305                                 | 4.77                         | 0.707                           |
| 310                                 | 4.77                         | 0.707                           |
| *315                                | 4.77                         | 0.707                           |
| 320                                 | 4.77                         | 0.707                           |
| 325                                 | 4.77                         | 0.707                           |
| 330                                 | 4.77                         | 0.707                           |
| 335                                 | 4.78                         | 0.708                           |
| 340                                 | 5.78                         | 0.794                           |
| 350                                 | 7.78                         | 1.000                           |

\* Pattern Minima  
\*\* Pattern Maxima



Statement A  
**PROPOSED DIRECTIONAL ANTENNA**

prepared for  
**Howard B. Dolgoff**  
Miramar Beach, Florida

Ch 292A (106.3 MHz) 6.0 KW-DA (H&V) 100 m

Figure 3-A is a directional antenna horizontal plane envelope pattern which shows the permissible radiation from the proposed facility along all azimuths. This is a composite envelope, within which both the horizontally and vertically polarized radiation patterns will be contained. Upon grant of this application, an antenna will be designed to match this pattern as closely as possible without exceeding the pattern limits shown herein.

The proposed envelope pattern does not change by more than 2 dB per 10 degrees of azimuth. The ratio of maximum to minimum radiation is 3 dB, well below the 15 dB limit contained in Section 73.316 of the FCC Rules. Howard B. Dolgoff is proposing use of an ERI 4 bay half-wavelength spaced rototiller antenna, which will be directionalized to accommodate the pattern requirements. This antenna is proposed to be obtained from the Harris Corporation (model FML-4E), but since ERI provides these antennas on an OEM basis to other vendors, a substitute supplier, manufacturer or antenna type may be specified following grant of this application. The antenna make, model and actual measured antenna pattern will be submitted with the Application for License to cover this construction.

The antenna will be side mounted on a new tower in accordance with the installation instructions to be supplied by the manufacturer. The proposed tower will not have a top mounted platform that exceeds the nominal cross sectional area of the tower itself. No other antennas will be mounted within the FM antenna aperture, nor will any other antenna be installed on the tower within the minimum vertical or horizontal distance specified by the FM antenna manufacturer as being necessary for proper directional operation. The pattern measurements performed by the manufacturer will duplicate as closely as possible the proposed tower, including all pertinent structural members.